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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re MICHAEL DEAN JOHNSON,
Plaintiff.

No. C 09-4934 CRB (PR)
ORDER OF DISMISSAL

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This civil action by a prisoner was filed on October 16, 2009. The court notified plaintiff in writing at that time that the action was deficient because plaintiff did not pay the requisite \$350.00 filing fee or, instead, submit a signed and completed court-approved in forma pauperis application, including a completed certificate of funds in the prisoner's account and a copy of the prisoner's trust account statement for the last six months. See 28 U.S.C. § 1915(a)(2). Plaintiff was advised that failure to file the requested items within 30 days would result in dismissal of the action.

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More than 40 days have elapsed; however, plaintiff has not provided the court with the requisite items, or sought an extension of time to do so. The action is DISMISSED without prejudice.

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The clerk shall close the file and terminate all pending motions as moot.
SO ORDERED.

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DATED: Dec. 2, 2009



CHARLES R. BREYER
United States District Judge